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By

M. Diane Duke

A/N
#3

14643-31-2-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HERMAN A. DEBOER ET AL.

Serial No.: 08/154,019

Filed: November 16, 1993

For: PRODUCTION OF RECOMBINANT
POLYPEPTIDES BY BOVINE
SPECIES AND TRANSGENIC
METHODS

) Examiner: Unassigned

) Art Unit: Unassigned

RECEIVED

JUN 10 1994

SPECIAL PROGRAMS OFFICE
A/C PATENTS

PETITION UNDER 37 CFR §1.47(a)

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED
JUN -6 1994

Sir:

1: APPLICATION BRANCH

Co-inventors Herman A. DeBoer, Rein Strijker, Herbert L. Heyneker, Gerard Platenburg, Sang He Lee, and Frank Pieper hereby make application for patent on behalf of an additional co-inventor Paul J.A. Krimpenfort for the subject matter encompassed by the above-referenced application.

Attached to this request are:

1. A Declaration and Power of Attorney executed by Herman A. DeBoer, Rein Strijker, Herbert L. Heyneker, Gerard Platenburg, Sang He Lee and Frank Pieper, in counterpart, each on his own behalf;
2. A Declaration and Power of Attorney under 37 CFR §1.64(b) executed by Herman A. DeBoer, Rein Strijker, Herbert L. Heyneker, Gerard Platenburg, Sang He Lee and Frank Pieper, in counterpart, each on behalf of co-inventor Paul J.A. Krimpenfort;
3. Proof of Refusal of Inventor to Sign - MPEP §409.03(d) and 37 CFR §1.47(a) executed by Rein Strijker, an employee of the assignee of the above-captioned application, Gene Pharming Europe

HERMAN A. DEBOER ET AL.
08/154,019
Page 2

BV, setting forth pertinent facts regarding co-inventor Paul J.A. Krimpenfort's refusal to execute a Declaration and Power of Attorney.

It is respectfully submitted that the attached documents provided proper basis for filing this application under 37 CFR §1.47(a), and Applicants request early notification to that effect.

Please charge the petition fee of \$130.00 to deposit account 20-1430. Please charge any additional fees or credit any overpayment to the same account.

If the Examiner believes a telephone conference would expedite prosecution of this application, he is invited to telephone the undersigned at (415) 326-2400, Ext. 218.

This Petition is submitted in triplicate.

Respectfully submitted,

J. Liebeschuetz

Joe Liebeschuetz
Reg. No. 37,505

TOWNSEND and TOWNSEND KHOURIE and CREW
20th Floor, Steuart Street Tower
One Market Plaza
San Francisco, California 94105-1492
(415) 326-2400
14643\31\2-2.PET

ORIGINAL

By _____

In re application of:

HERMAN A. DEBOER ET AL.

Serial No.: 08/154,019

Filed: November 16, 1993

**For: PRODUCTION OF RECOMBINANT
POLYPEPTIDES BY BOVINE
SPECIES AND TRANSGENIC
METHODS**

Examiner: Not Assigned

Art Unit: Not Assigned

**PROOF OF REFUSAL OF INVENTOR
TO SIGN - MPEP §409.03(d) and
37 CFR §1.47(a)**

The following statement establishes the refusal to execute the application by one of the inventors, Paul Krimpenfort (Dr. Krimpenfort), and the need for filing this application under 37 CFR §1.47(a).

I, Rein Strijker, state as follows:

(1) I am a named inventor of the above captioned application (the application). I am also employed by the assignee of the application (Gene Pharming Europe BV) as Director of Technology Affairs. One of my duties in this capacity was the procurement of signatures of the inventors for the documents necessary to support the application. All the inventors but Dr. Krimpenfort signed the documents. The following narrative relates my attempts to obtain Dr. Krimpenfort's signature.

(2) On December 23, 1993, I wrote a letter to Dr. Krimpenfort, attaching a copy of the application and a declaration for signature by Dr. Krimpenfort. The letter was mailed to Dr. Krimpenfort's home address of Crayenestersingel 5; 2101 AN Heemstede, The Netherlands. The letter explained that Dr. Krimpenfort had been named an inventor of the application and

requested that he sign and return the declaration. A copy of this letter is attached as Exhibit A.

(3) On January 17, 1994, I received a letter from Dr. Krimpenfort stating that he refused to sign the declaration. The letter states that Dr. Krimpenfort's reason for not signing the declaration was that he did not consider himself to be an inventor anymore. A copy of this letter, together with an English translation thereof, is attached as Exhibit B.

(4) On February 10, 1994, I wrote a letter (attached as Exhibit C) to Dr. Krimpenfort at the same address as under (2), asking him to reconsider his position. I have not received a reply.

(5) For the foregoing reasons, it is believed that sufficient basis has been established for filing this application absent Dr. Krimpenfort's signature. The petition under 37 CFR §1.47(a) is therefore respectfully requested to be granted.

(6) I further state that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 5/11/94


Rein Strijker

Attachments:
Exhibits A, B and C

31-2-2.R01

GENE PHARMING EUROPE B.V.

Niels Bohrweg 11-13
2333 CA Leiden
The Netherlands

Paul Krimpenfort
Crayenestersingel 5
2101 AN HEEMSTEDE

Telephone (071) 217317
Telefax (071) 216507

Ref.: 538/93/GF

Direct dialling:
(071) 406

Date: 23 december 1993

Beste Paul,

Bijgesloten treft je aan:

- Assignment of Patent Application;
- Declaration and Power Attorney;
- kopie van de Patent Application.

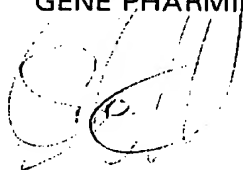
Gaarne op pagina 4 van de "Assignment" je handtekening zetten in aanwezigheid van 2 getuigen, die tevens hun handtekening zetten. Ook op pagina 3 van de "Declaration" is je handtekening gewenst.

Na ondertekening de stukken a.u.b. retour sturen. Het kopie van de "Patent Application" hoeft je natuurlijk niet te retourneren.

Bij voorbaat dank.

Met vriendelijke groeten,

GENE PHARMING EUROPE B.V.



Rein Strijker.

exhibit A

English translation of exhibit A.

Dear Paul,

Enclosed you will find:

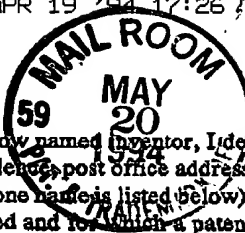
- Assignment of Patent Application
- Declaration of Power Attorney
- Copy of the Patent Application

Please Sign on page 4 of the "Assignment..." in the presence of 2 witnesses who also have to sign. Also on page 3 of the "Declaration....." your signature is needed.

After signing please return the documents. Of course, the copy of the patent application does not have to be returned.

Thank you in advance,

With kind regards,



DECLARATION AND POWER OF ATTORNEY

ORIGINAL

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PRODUCTION OF RECOMBINANT POLYPEPTIDES BY BOVINE SPECIES AND TRANSGENIC METHODS**, the specification of which is attached hereto or X was filed on November 16, 1993 as Application Serial No. 08/154,019.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

****PLEASE SEE ATTACHED SHEET****

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing	Status
08/077,788	June 15, 1993	<u> </u> Patented <u>X</u> Pending <u> </u> Abandoned
07/898,956	June 15, 1992	<u> </u> Patented <u>X</u> Pending <u> </u> Abandoned
07/619,131	November 27, 1990	<u> </u> Patented <u>X</u> Pending <u> </u> Abandoned
07/444,745	December 1, 1989	<u> </u> Patented <u> </u> Pending <u>X</u> Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223
 James M. Heslin, Reg. No. 29,541
 Tracy J. Dunn, Reg. No. 34,587
 Joe Liebeschuetz, Reg. No. 37,505

Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND KHOURIE and CREW Steuart Street Tower One Market Plaza, 20th Floor San Francisco, CA 94105	Direct Telephone Calls to: (Name, Reg. No., telephone no.) William M. Smith Reg. No. 30,223 (415) 326-2400
--	--



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As a below named inventor, I declare that:

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Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND KHOURIE and CREW Steuart Street Tower One Market Plaza, 20th Floor San Francisco, CA 94105	Direct Telephone Calls to: (Name, Reg. No., telephone no.) William M. Smith Reg. No. 30,223 (415) 326-2400
--	--

Full Name of Inventor 1	Last Name DEBOER	First Name HERMAN	Middle Name or Initial A.	
Residence & Citizenship	City Roelofarendsveen	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Sotaweg 24, 2371 GD	City Roelofarendsveen	State/Country The Netherlands	Zip Code
Full Name of Inventor 2	Last Name STRIJKER	First Name REIN	Middle Name or Initial	
Residence & Citizenship	City Oegstgeest	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Spaargarenstraat 2, 2341 JW	City Oegstgeest	State/Country The Netherlands	Zip Code
Full Name of Inventor 3	Last Name HEYNEKER	First Name HERBERT	Middle Name or Initial L.	
Residence & Citizenship	City Hillsborough	State/Foreign Country California	Country of Citizenship U.S.A.	
Post Office Address	Post Office Address 501 Roehampton Road	City Hillsborough	State/Country California	Zip Code 94010
Full Name of Inventor 4	Last Name PLATENBURG	First Name GERARD	Middle Name or Initial	
Residence & Citizenship	City Voorschoten	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Wijngaardenlaan 56, 2252 XR	City Voorschoten	State/Country The Netherlands	Zip Code
Full Name of Inventor 5	Last Name LEE	First Name Sang	Middle Name or Initial He	
Residence & Citizenship	City Leiden	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands <i>U.S.A.</i> <i>Shl</i>	
Post Office Address	Post Office Address Fien de la Marstraat 26, 2331 HN	City Leiden	State/Country The Netherlands	Zip Code
Full Name of Inventor 6	Last Name PIEPER	First Name FRANK	Middle Name or Initial	
Residence & Citizenship	City Utrecht	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address C. van Maasdijkstraat 13, 3555 VM	City Utrecht	State/Country The Netherlands	Zip Code
Full Name of Inventor 7	Last Name KRIMPENFORT	First Name PAUL	Middle Name or Initial J.A.	
Residence & Citizenship	City Heemstede	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Crayenestersingel 5, 2101 AN	City Heemstede	State/Country The Netherlands	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: _____

HERMAN A. DEBOER
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

Date: _____

REIN STRIJKER
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

Date: April 24, 1994



HERBERT L. HEYNEKER
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

Date: _____

GERARD PLATENBURG
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

Date: _____

SANG HE LEE
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

Date: _____

FRANK PIEPER
on behalf of PAUL J.A. KRIMPENFORT, Inventor 7

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>	Priority Claimed Under <u>35 USC 119</u>
PCT	PCT/US90/06874 Publ. 06/13/91, No. WO 91/08216	11/30/90	Yes
Australia	69608/91	11/30/90	Yes
Canada	2,075,206	11/30/90	Yes
EP	91.901026.4	11/30/90	Yes
Finland	923485	11/30/90	Yes
Sri Lanka	10403	11/30/90	Yes
Monaco	N/A	11/30/90	Yes
Norway	P922996	11/30/90	Yes
OAPI	PV60265	11/30/90	Yes
Russian Fed.	5052392.13	11/30/90	Yes
Canada	90109733.0	12/01/90	Yes
Indonesia	P-001607	01/21/92	Yes
India	1037/CAL/90	12/18/90	Yes
Malaysia	PI 9002116	11/30/90	Yes
New Zealand	236310	12/03/90	Yes
Pakistan	498/90	12/01/90	Yes
Philippines	41666	05/30/90	Yes
Taiwan	79110238	12/05/90	Yes
PCT	PCT/US93/05724	6/15/93	Yes



ORIGINAL

Attorney Docket No. 14643-31-2-2

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James M. Heslin, Reg. No. 29,541
Tracy J. Dunn, Reg. No. 34,587
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Send Correspondence to: <u>William M. Smith</u> <u>TOWNSEND and TOWNSEND KHOURIE and CREW</u> <u>Steuart Street Tower</u> <u>One Market Plaza, 20th Floor</u> <u>San Francisco, CA 94105</u>	Direct Telephone Calls to: (Name, Reg. No., telephone no.) <u>William M. Smith</u> <u>Reg. No. 30,223</u> <u>(415) 326-2400</u>
---	---

Full Name of Inventor 1	Last Name <u>DEBOER</u>	First Name <u>HERMAN</u>	Middle Name or Initial <u>A.</u>	
Residence & Citizenship	City <u>Roelofarendsveen</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u>	
Post Office Address	Post Office Address <u>Sotaweg 24, 2371 GD</u>	City <u>Roelofarendsveen</u>	State/Country <u>The Netherlands</u>	Zip Code
Full Name of Inventor 2	Last Name <u>STRIJKER</u>	First Name <u>REIN</u>	Middle Name or Initial	
Residence & Citizenship	City <u>Oegstgeest</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u>	
Post Office Address	Post Office Address <u>Spaargarenstraat 2, 2341 JW</u>	City <u>Oegstgeest</u>	State/Country <u>The Netherlands</u>	Zip Code
Full Name of Inventor 3	Last Name <u>HEYNEKER</u>	First Name <u>HERBERT</u>	Middle Name or Initial <u>L.</u>	
Residence & Citizenship	City <u>Hillsborough</u>	State/Foreign Country <u>California</u> <i>CA</i>	Country of Citizenship <u>U.S.A.</u>	
Post Office Address	Post Office Address <u>501 Roehampton Road</u>	City <u>Hillsborough</u>	State/Country <u>California</u>	Zip Code <u>94010</u>
Full Name of Inventor 4	Last Name <u>PLATENBURG</u>	First Name <u>GERARD</u>	Middle Name or Initial	
Residence & Citizenship	City <u>Voorschoten</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u>	
Post Office Address	Post Office Address <u>Wijngaardenlaan 56, 2252 XR</u>	City <u>Voorschoten</u>	State/Country <u>The Netherlands</u>	Zip Code
Full Name of Inventor 5	Last Name <u>LEE</u>	First Name <u>Sang</u>	Middle Name or Initial <u>He</u>	
Residence & Citizenship	City <u>Leiden</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u> <i>USA</i> <i>Shl</i>	
Post Office Address	Post Office Address <u>Fien de la Marstraat 26, 2331 HN</u>	City <u>Leiden</u>	State/Country <u>The Netherlands</u>	Zip Code
Full Name of Inventor 6	Last Name <u>PIEPER</u>	First Name <u>FRANK</u>	Middle Name or Initial	
Residence & Citizenship	City <u>Utrecht</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u>	
Post Office Address	Post Office Address <u>C. van Maasdijkstraat 13, 3555 VM</u>	City <u>Utrecht</u>	State/Country <u>The Netherlands</u>	Zip Code
Full Name of Inventor 7	Last Name <u>KRIMPENFORT</u>	First Name <u>PAUL</u>	Middle Name or Initial <u>J.A.</u>	
Residence & Citizenship	City <u>Heemstede</u>	State/Foreign Country <u>The Netherlands</u> <i>NL</i>	Country of Citizenship <u>The Netherlands</u>	
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Signature of Inventor 1 HERMAN A. DEBOER	Signature of Inventor 2  REIN STRIJKER	Signature of Inventor 3 HERBERT L. HEYNEKER
Date	Date <u>12/20/93</u>	Date <u>12/23/93</u>
Signature of Inventor 4  GERARD PLATENBURG	Signature of Inventor 5 SANG HE LEE	Signature of Inventor 6  FRANK PIEPER
Signature of Inventor 7 PAUL J.A. KRIMPENFORT		
Date	Date	Date

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>	<u>Priority Claimed Under 35 USC 119</u>
PCT	PCT/US90/06874 Publ. 06/13/91, No. WO 91/08216	11/30/90	Yes
Australia	69608/91	11/30/90	Yes
Canada	2,075,206	11/30/90	Yes
EP	91.901026.4	11/30/90	Yes
Finland	923485	11/30/90	Yes
Sri Lanka	10403	11/30/90	Yes
Monaco	N/A	11/30/90	Yes
Norway	P922996	11/30/90	Yes
OAPI	PV60265	11/30/90	Yes
Russian Fed.	5052392.13	11/30/90	Yes
Canada	90109733.0	12/01/90	Yes
Indonesia	P-001607	01/21/92	Yes
India	1037/CAL/90	12/18/90	Yes
Malaysia	PI 9002116	11/30/90	Yes
New Zealand	236310	12/03/90	Yes
Pakistan	498/90	12/01/90	Yes
Philippines	41666	05/30/90	Yes
Taiwan	79110238	12/05/90	Yes
PCT	PCT/US93/05724	6/15/93	Yes



ORIGINAL

Attorney Docket No. 14643-31-2-2

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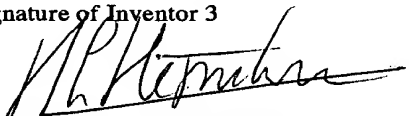
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223
James M. Heslin, Reg. No. 29,541
Tracy J. Dunn, Reg. No. 34,587
Joe Liebeschuetz, Reg. No. 37,505

Send Correspondence to: William M. Smith TOWNSEND and TOWNSEND KHOURIE and CREW Steuart Street Tower One Market Plaza, 20th Floor San Francisco, CA 94105	Direct Telephone Calls to: (Name, Reg. No., telephone no.) William M. Smith Reg. No. 30,223 (415) 326-2400
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Full Name of Inventor 1	Last Name DEBOER	First Name HERMAN	Middle Name or Initial A.	
Residence & Citizenship	City Roelofarendsveen	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
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Residence & Citizenship	City Oegstgeest	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
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Post Office Address	Post Office Address 501 Roehampton Road	City Hillsborough	State/Country California	Zip Code 94010
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Residence & Citizenship	City Voorschoten	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Wijngaardenlaan 56, 2252 XR	City Voorschoten	State/Country The Netherlands	Zip Code
Full Name of Inventor 5	Last Name LEE	First Name Sang	Middle Name or Initial He	
Residence & Citizenship	City Leiden	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Fien de la Marstraat 26, 2331 HN	City Leiden	State/Country The Netherlands	Zip Code
Full Name of Inventor 6	Last Name PIEPER	First Name FRANK	Middle Name or Initial	
Residence & Citizenship	City Utrecht	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address C. van Maasdijkstraat 13, 3555 VM	City Utrecht	State/Country The Netherlands	Zip Code
Full Name of Inventor 7	Last Name KRIMPENFORT	First Name PAUL	Middle Name or Initial J.A.	
Residence & Citizenship	City Heemstede	State/Foreign Country The Netherlands	Country of Citizenship The Netherlands	
Post Office Address	Post Office Address Crayenestersingel 5, 2101 AN	City Heemstede	State/Country The Netherlands	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1 HERMAN A. DEBOER	Signature of Inventor 2 REIN STRIJKER	Signature of Inventor 3  HERBERT L. HEYNEKER
Date	Date	Date <i>11/8/94</i>
Signature of Inventor 4 GERARD PLATENBURG	Signature of Inventor 5 SANG HE LEE	Signature of Inventor 6 FRANK PIEPER
Signature of Inventor 7 PAUL J.A. KRIMPENFORT		
Date	Date	Date

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>	<u>Priority Claimed Under 35 USC 119</u>
PCT	PCT/US90/06874 Publ. 06/13/91, No. WO 91/08216	11/30/90	Yes
Australia	69608/91	11/30/90	Yes
Canada	2,075,206	11/30/90	Yes
EP	91.901026.4	11/30/90	Yes
Finland	923485	11/30/90	Yes
Sri Lanka	10403	11/30/90	Yes
Monaco	N/A	11/30/90	Yes
Norway	P922996	11/30/90	Yes
OAPI	PV60265	11/30/90	Yes
Russian Fed.	5052392.13	11/30/90	Yes
Canada	90109733.0	12/01/90	Yes
Indonesia	P-001607	01/21/92	Yes
India	1037/CAL/90	12/18/90	Yes
Malaysia	PI 9002116	11/30/90	Yes
New Zealand	236310	12/03/90	Yes
Pakistan	498/90	12/01/90	Yes
Philippines	41666	05/30/90	Yes
Taiwan	79110238	12/05/90	Yes
PCT	PCT/US93/05724	6/15/93	Yes



DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **PRODUCTION OF RECOMBINANT POLYPEPTIDES BY BOVINE SPECIES AND TRANSGENIC METHODS**, the specification of which ___ is attached hereto or X was filed on November 16, 1993 as Application Serial No. 08/154,019.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

****PLEASE SEE ATTACHED SHEET****

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing	Status
08/077,788	June 15, 1993	___ Patented <u>X</u> Pending ___ Abandoned
07/898,956	June 15, 1992	___ Patented <u>X</u> Pending ___ Abandoned
07/619,131	November 27, 1990	___ Patented <u>X</u> Pending ___ Abandoned
07/444,745	December 1, 1989	___ Patented ___ Pending <u>X</u> Abandoned

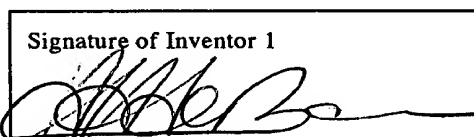
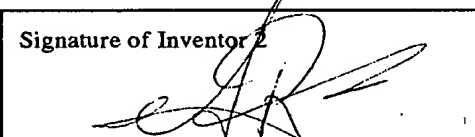
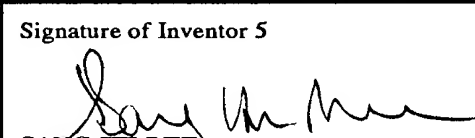
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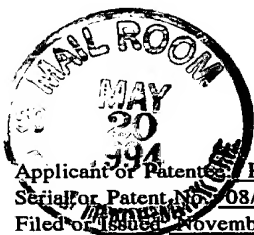
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Full Name of Inventor 1	Last Name DEBOER	First Name HERMAN	Middle Name or Initial A.	
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Post Office Address	Post Office Address Crayenestersingel 5, 2101 AN	City Heemstede	State/Country The Netherlands	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  HERMAN A. DEBOER	Signature of Inventor 2  REIN STRIJKER	Signature of Inventor 3 HERBERT L. HEYNEKER
Date	Date 12/20/93	Date
Signature of Inventor 4 GERARD PLATENBURG	Signature of Inventor 5  SANG HE LEE	Signature of Inventor 6 FRANK PIEPER
Signature of Inventor 7 PAUL J.A. KRIMPENFORT		
Date	Date	Date

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>	<u>Priority Claimed Under 35 USC 119</u>
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Pakistan	498/90	12/01/90	Yes
Philippines	41666	05/30/90	Yes
Taiwan	79110238	12/05/90	Yes
PCT	PCT/US93/05724	6/15/93	Yes

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

ORIGINAL

Applicant or Patent Owner HERMAN A. DEBOER ET AL.Serial/Patent No. 08/154,019Filed on November 16, 1993Title: PRODUCTION OF RECOMBINANT POLYPEPTIDES BY BOVINE SPECIES AND TRANSGENIC METHODS

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN GENPHARM INTERNATIONAL, INC.ADDRESS OF SMALL BUSINESS CONCERN 297 N. Bernardo Avenue, Mountain View, California 94043

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PRODUCTION OF RECOMBINANT POLYPEPTIDES BY BOVINE SPECIES AND TRANSGENIC METHODS by inventor(s) HERMAN A. DEBOER ET AL. described in

- ☐ the specification filed herewith
☒ application Serial No. 08/154,019, filed November 16, 1993
☐ Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

Timothy R. Maier

TITLE OF PERSON IF OTHER THAN OWNER

Chief Financial Officer

ADDRESS OF PERSON SIGNING

297 N. Bernardo Avenue, Mountain View, California 94043

SIGNATURE

DATE

12/23/93